

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	04 December 2001
Name of applicant/court:	District Court At Rotorua
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled
Other Known Titles:	Picture Marked 2
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Colour Reproduction Of A Photograph
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled publication, known as *Picture Marked 2*, is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a full-colour photocopy of a photograph on a white sheet of A4 paper. The image depicts a sexualised image of a naked woman urinating into a toilet bowl. The publication does not promote or support, or tend to promote or support, the use of urine in association with degrading nor dehumanising conduct or sexual conduct, because it depicts neither degrading or dehumanising conduct, nor sexual conduct. The publication does, however, deal with matters of sex, in the form of sexualised nudity, in a manner that is likely to be injurious to the public good unless it is restricted to an adult audience.

The criteria applied by the Classification Office resulting in the limit on the availability of this publication are prescribed by law. This classification represents the minimum interference with freedom of expression as affirmed in the New Zealand Bill of Rights Act 1990 that is consistent with preventing likely injury to the public good. It is therefore a restriction that can be demonstrably justified in a free and democratic society.

OFLC Ref: 101656